

Senate File 2115 - Introduced

SENATE FILE 2115
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO SSB 3007)

A BILL FOR

1 An Act creating the criminal offense of interference with
2 official acts against a jailer, and providing penalties.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 719.1, subsection 1, paragraph a, Code
2 2016, is amended to read as follows:

3 a. A person commits interference with official acts when
4 the person knowingly resists or obstructs anyone known by the
5 person to be a peace officer, jailer, emergency medical care
6 provider under chapter 147A, or fire fighter, whether paid or
7 volunteer, in the performance of any act which is within the
8 scope of the lawful duty or authority of that officer, jailer,
9 emergency medical care provider under chapter 147A, or fire
10 fighter, whether paid or volunteer, or who knowingly resists or
11 obstructs the service or execution by any authorized person of
12 any civil or criminal process or order of any court.

13 Sec. 2. Section 719.1, Code 2016, is amended by adding the
14 following new subsection:

15 NEW SUBSECTION. 4. The term "*jailer*" as used in this
16 section means the same as defined in section 708.3A.

17 EXPLANATION

18 The inclusion of this explanation does not constitute agreement with
19 the explanation's substance by the members of the general assembly.

20 This bill relates to interference with official acts against
21 a jailer.

22 Under the bill, a person who knowingly resists or obstructs
23 anyone known by the person to be a jailer, in the performance
24 of any act which is within the scope of the lawful duty or
25 authority of that jailer, commits the crime of interference
26 with official acts. Current law provides that such actions
27 involving a peace officer, emergency medical care provider
28 under Code chapter 147A, or fire fighter, whether paid or
29 volunteer, constitute interference with official acts.

30 The bill defines "*jailer*" to mean a person who is employed by
31 a county or other political subdivision of the state to work
32 at a county jail or other facility used for purposes of the
33 confinement of persons who have committed public offenses, but
34 who is not a peace officer.

35 The criminal offense for the commission of interference

1 with official acts pursuant to the bill ranges from a serious
2 misdemeanor through a class "C" felony depending upon the facts
3 of the offense under Code section 719.1(2).

4 A person who assaults a jailer or an employee of a judicial
5 district department of correctional services may also be
6 punished pursuant to the existing provisions of Code section
7 708.3A.